

REMARKS

Within the Office Action dated April 28, 2009, claims 1-4, 9-12, 17 and 20-21 were rejected under 35 U.S.C section 103(a) as being unpatentable over United States Patent 7,089,321 B2 to Hayashi (Hayashi) in view of United States Patent 5,414,455 to Hooper et al. (Hooper), United States Patent 7,130,623 B2 to Kirkeby et al. (Kirkeby), and further in view of United States Patent 5,841,938 to Nitta (Nitta).

Claims 5-7, 13-15, and 18-19 were rejected under section 103(a) as being unpatentable over Hayashi and Hooper and Kirkeby, and Nitta, and further in view of United States Patent Application 2004/0,218,905 A1 to Green et al. (Green).

Claims 8 and 16 were rejected under section 103(a) as being unpatentable over Hayashi, and Hooper and Kirkeby, and Nitta, and further in view of United States Patent 6,857,130 B2 to Srikantan (Srikantan).

By this amendment Applicants amend claims 1, 9, and 17, but do not add or cancel any claims. Accordingly, claims 1-21 will be remain pending in the application upon entry of this amendment.

Applicants thank the Examiner for the interview conducted on 14 May 2009. During the interview, column 4 of Nitta and paragraph [0028] of Applicant's specification were discussed. Applicants amend the claims in light of the interview.

I. Rejection of Claims 1-8

Within the Office Action dated 28 April 2009, the Examiner rejected claims 1-4 under section 103(a) as being unpatentable over Hayashi in view of Hooper and Kirkeby and Nitta. Claims 5-7 were rejected under section 103(a) as being unpatentable over Hayashi, Hooper, Kirkeby, and Nitta, and further in view of Green. Claim 8 was rejected under section 103(a) as being unpatentable over Hayashi, Hooper, Kirkeby, and Nitta, and further in view of Srikantan. Claims 2-8 are dependent on claim 1.

Claim 1 recites a method for networking television recording devices. The method receives multiple television signals and selects a set of tuners from several tuners available on a home-based network. The method tunes each of the television signals in one of the tuners selected from the set of tuners, and buffers the television signals on a storage medium in at least

one PVR media server. The buffering uses a configurable type buffer that has a configurable size for permitting storage of a selectable time duration of the television signals. The configurable type buffer is for providing buffering of the television signals continuously by using the selectable time duration. The PVR media server resides within the home-based network and is particularly configured for maintaining a read position and a write position for the buffering. The method configures a set of boundary conditions for the read position and the write position. For instance, when the read position falls behind the write position an amount greater than the buffer size, then the method generates an event. The method advances the read position in response to the generated event, the write position advanced as a television signal is received. The method couples several clients, over the home-based network, to the PVR media server, assigns at least two of the clients to one or more of the tuners, and transfers, over the home-based network, buffered television signals to the clients.

Applicants respectfully submit that the cited references do not disclose, teach, or even suggest such a method. Applicants further amend the claims to recite that the buffering uses a configurable buffer that has a configurable size for permitting storage of a selectable time duration of the television signals, a set of boundary conditions such that if a read position falls behind the write position an amount greater than the buffer size, then an event is generated, and advancing the read position in response to the generated event, the write position advanced as a television signal is received. These elements are not disclosed, taught, or even suggested by the references separately, or in combination, including Nitta. Nitta describes stopping a write pointer to interrupt writing, which actually teaches away from the recited claims. Moreover, Applicants respectfully submit that there is no motivation to combine Nitta with the multiple other cited references, and that such combination constitutes impermissible hindsight, piecemeal reconstruction.

Accordingly, the cited references do not render unpatentable claim 1. Since claims 2-8 are dependent on claim 1, Applicants respectfully submit that the cited references do not render unpatentable claims 2-8 for at least the reasons discussed above in relation to claim 1. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-8.

II. Rejections of Claims 9-16

The Examiner rejected claims 9-13 under section 103(a) as being unpatentable over Hayashi, Hooper, and Kirkeby, and Nitta. Claims 14-15 were rejected under section 103(a) as being unpatentable over Hayashi, Hooper, Kirkeby, and Nitta, and further in view of Green. Claim 16 was rejected under section 103(a) as being unpatentable over Hayashi, Hooper, Kirkeby, and Nitta, and further in view of Srikantan. Claims 10-18 are dependent on claim 9.

Claim 9 recites a system that includes several clients for displaying television signals, and at least one PVR media server coupled to receive several television signals. The PVR media server has several television tuners for tuning each of the television signals, so as to assign at least two of the clients to one or more of the tuners, and thereby generate a set of assigned clients. The system further includes a storage medium and a home-based network. The storage medium is coupled to the television tuners, and is for buffering the television signals. The home-based network is for coupling the clients to the PVR media server and for transferring the buffered television signals to the assigned clients. The PVR media server is particularly configured for maintaining a read position and a write position for the buffering. The system also includes a configurable type buffer that has a configurable size for permitting storage of a selectable time duration of the television signals. The configurable type buffer is for providing buffering of the television signals continuously by using the selectable time duration. The system includes a set of boundary conditions for the read position and the write position. For instance, when the read position falls behind the write position an amount greater than the buffer size, then an event is generated. The event is configured for causing the read buffer to be advanced in response to the generated event, the write position advanced as a television signal is received. The system is configured for selecting a set of tuners for tuning the received signals. The selected tuners are coupled to storage media for buffering the signals for the assigned clients. In a specific embodiment, the PVR media server, the selected tuners, and the storage media are located within the home-based network.

Applicants respectfully submit that the cited references do not disclose, teach, or even suggest such a system. Applicants further amend the claims to recite that the buffering uses a configurable buffer that has a configurable size for permitting storage of a selectable time duration of the television signals, a set of boundary conditions such that if a read position falls

behind the write position an amount greater than the buffer size, then an event is generated, and advancing the read position in response to the generated event, the write position advanced as a television signal is received. These elements are not disclosed, taught, or even suggested by the references separately, or in combination, including Nitta. Nitta describes stopping a write pointer to interrupt writing, which actually teaches away from the recited claims. Moreover, Applicants respectfully submit that there is no motivation to combine Nitta with the multiple other cited references, and that such combination constitutes impermissible hindsight, piecemeal reconstruction.

Accordingly, the cited references do not render unpatentable claim 9. Since claims 10-16 are dependent on claim 9, Applicants respectfully submit that the cited references do not render unpatentable claims 10-16 for at least the reasons discussed above in relation to claim 9. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 9-16.

III. Rejection of Claims 17-21

Within the Office Action, the Examiner rejected claims 17 and 20-21 under section 103(a) as being unpatentable over Hayashi in view of Hooper, and Kirkeby, and Nitta. Claims 18-19 were rejected under section 103(a) as being unpatentable over Hayashi, Hooper, Kirkeby, and Nitta, and further in view of Green. Claims 18-21 are dependent on claim 17.

Claim 17 recites a method of networking video recording devices that receives several signals, and thereby generates a set of received signals. The method selects several tuners located within a home-based network. The method tunes the received signals by using the tuners selected within the home-based network, and couples the tuners to storage media located within the home-based network. The method buffers the received signals by using a first storage medium in at least a first PVR media server thereby generating a set of buffered signals. The first PVR media server is configured for maintaining a read position and a write position for the buffering. The buffering uses a configurable type buffer that has a configurable size for permitting storage of a selectable time duration of the television signals. More specifically, the configurable type buffer is for providing buffering of the television signals continuously by using the selectable time duration. The method configures a set of boundary conditions for the read

position and the write position. For instance, if the read position falls behind the write position an amount greater than the buffer size, then an event is generated. The method advances the read position in response to the generated event, the write position advanced as a television signal is received. The first PVR media server is located within the home-based network.

Applicants respectfully submit that the cited references do not disclose, teach, or even suggest such a method. Applicants further amend the claims to recite that the buffering uses a configurable buffer that has a configurable size for permitting storage of a selectable time duration of the television signals, a set of boundary conditions such that if a read position falls behind the write position an amount greater than the buffer size, then an event is generated, and advancing the read position in response to the generated event, the write position advanced as a television signal is received. These elements are not disclosed, taught, or even suggested by the references separately, or in combination, including Nitta. Nitta describes stopping a write pointer to interrupt writing, which actually teaches away from the recited claims. Moreover, Applicants respectfully submit that there is no motivation to combine Nitta with the multiple other cited references, and that such combination constitutes impermissible hindsight, piecemeal reconstruction.

Accordingly, Applicants respectfully submit that the cited references do not render unpatentable claim 17. Since claims 18-21 are dependent on claim 17, Applicants respectfully submit that the cited references do not invalidate claims 18-21 for at least the reasons discussed above in relation to claim 17. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 17-21.

CONCLUSION

Based on the foregoing remarks, Applicants believe that the application is in condition for allowance. If the Examiner has any questions regarding the case, the Examiner is invited to contact Applicants' undersigned representative at the number given below.

If any fees are required, please charge the required fees to Deposit Account No. 13-0762.

Respectfully submitted,

MACROVISION SOLUTIONS CORPORATION

Dated: May 19, 2009

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